

SP 37.1, Consultants and Personal Services

Substantive changes made for the 3-31-06 revision:

1. Adds honoraria as an exception to the scope of the SP and a provides a link to Financial Policies and Procedures on *Honoraria*.
2. Adds Honorarium to “DEFINITIONS”.
3. Adds reference to SP 3.4, *Personal Conflicts of Interest* and 9.3, *Organizational Conflicts of Interest*, for restrictions that apply to retired and other former University employees.
4. Adds reference to SP 8.4, *Orders With DOE Contractors*, regarding use of current employees of other DOE Contractors.
5. Adds a paragraph under “Consulting Agreements With Current Employees of Other DOE Contractors” stating that DOE Contractors may be required to approve, and to disclose to DOE, outside employment and consulting activities of their employees. Approvals are to be obtained and documented in the procurement file.
6. Adds procedures for:
 - Consultant Agreements With Current UC Employees From Another University of California (UC) – Managed Laboratory.
 - Consultant Agreements With Current LBNL Employees
 - Consultant Agreements With UC Campus Employeesand provides alternatives that should be considered in lieu of the four dual compensation situations provided.
7. Deletes requirement to obtain Budget Office approval if the dollar obligation exceeds \$500,000.
8. Adds to the *Request for Consultant Agreement and Renewal* package, indication as to whether necessary approval of the consultant’s employer has been obtained.
9. In the section entitled “Conflicts of Interest”, clarifies how a non-disclosure agreement may be utilized and for what purpose.
10. Deletes FOCI requirement for PSAs in the section entitled “Processing of Personal Services Subcontracts”. SP 4.5, *Foreign Ownership, Control, or Influence*, was deleted on 2/23/06, because the Laboratory was certified as an unclassified facility on 10/17/05. Issuing an agreement for work requiring classified access would violate that status.
11. Updates the “RESPONSIBILITIES, Requesters” section to include obtaining necessary approvals from a consultant’s employer, and not requesting consultants for honoraria or architect-engineer services.
12. Adds “REFERENCES” section to include the *University of California Academic Personnel Manual*, Section 380, 660, and 664; California Senate Bill 1467; and Public Contract Code Section 10516.